

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Ruth Y. Goldway, Chairman;
Mark Acton, Vice Chairman; and
Robert G. Taub

Periodic Reporting
(Proposal Nine)

Docket No. RM2015-2

ORDER ADDRESSING STATUS REPORT
AND EXTENDING DATE FOR FILING COMMENTS

(Issued November 26, 2014)

In a recent filing, the Postal Service addresses several concerns about questions 15 and 16 in Chairman's Information Request (CHIR) No. 1, issued November 14, 2014, including the burden and time entailed in developing responses.¹ Status Report at 1-3. The Postal Service also notes that the Commission recently extended the due date for comments in this case until three business days after a complete response to CHIR No. 1 is submitted.² *Id.* at 3; Order No. 2253 at 2.

The Postal Service states that its intention is to continue working on preparation of the outstanding responses, as circumstances permit, but asserts that it is difficult to predict when those additional materials are likely to be available. Status Report at 3. However, it further states that, in its view, the extensive material it has filed in response

¹ Responses of the United States Postal Service to Questions 1-14 and 17-18 of Chairman's Information Request No. 1, and Status Report on Questions 15-16, November 21, 2014 (Status Report).

² See Order Extending Deadline for Comments, November 19, 2014 (Order No. 2253).

to the other questions in CHIR No. 1 "can reasonably be interpreted to represent a 'complete' response " *Id.* Moreover, the Postal Service notes that it has fully responded to the portions of CHIR No. 1 representing questions suggested by the Public Representative. *Id.* It therefore asserts that Proposal Nine could be considered "ripe" for submission of party comments three business days from November 21, 2014. *Id.* In the alternative, the Postal Service states that it has no objection to delaying the submission of party comments until the necessary efforts on questions 15 and 16 can be completed. *Id.* at 3-4.

Discussion. The Commission has considered the Postal Service's concerns about questions 15 and 16 in CHIR No. 1. On balance, it appears that the public interest in assessing the fundamental merits of Proposal Nine outweighs the public interest in obtaining more comprehensive data and information on extended implications. In addition, responses to Chairman's Information Request No. 2, filed contemporaneously with this Order, in this case should provide useful clarification of several points.³ The Commission therefore concludes that it is appropriate to relieve the Postal Service of responsibility for filing responses to questions 15 and 16, and to deem the responses filed on November 21, 2014 a complete response to CHIR No. 1.

To address potential due process concerns, the Commission also extends the date for filing comments in this case to no later than three business days after the Postal Service files responses to CHIR No. 2.

It is ordered:

1. The Commission finds the Responses of the United States Postal Service to Questions 1-14 and 17-18 of Chairman's Information Request No. 1, filed as part of Responses of the United States Postal Service to Questions 1-14 and 17-18 of Chairman's Information Request No. 1, and Status Report on Questions 15-16, filed November 21, 2014, a complete response to CHIR No. 1.

³ See Chairman's Information Request No. 2, November 26, 2014.

2. The Commission extends the date for filing comments in this case to no later than three business days after the Postal Service files responses to Chairman's Information Request No. 2.

By the Commission.

Ruth Ann Abrams
Acting Secretary